

ORIGINAL

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

Plaintiff,

- against -

ALL FUNDS ON DEPOSIT IN HELM  
BANK ACCOUNT NUMBER  
106013893, AND ALL RELATED  
FUNDS AND PROCEEDS, INCLUDING  
ALL FUNDS TRACEABLE THERETO,  
UP TO AND INCLUDING THE SUM  
OF \$259,307.00, et al.,

Defendants.

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DECREE OF FORFEITURE  
AND ORDER FOR DELIVERY

CV-99-8413

(Garaufis, J.)  
(Boyle, M.J.)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ NOV 06 2003 ★

LONG ISLAND OFFICE

Upon the United States' application for entry of a decree of forfeiture and order for delivery as against the funds on deposit in Helm Bank Account Number 106013893 (the "Defendant Funds"), the Declaration of Richard T. Lunger, Assistant United States Attorney, dated November 6, 2003, the Declaration of Edward Nagle, dated January 28, 2003, and exhibits annexed thereto, and upon all papers filed and proceedings had herein, and pursuant to 18 U.S.C. §§ 981 and 984 and 21 U.S.C. § 881, it is hereby

ORDERED, ADJUDGED AND DECREED that all of the persons or entities known or thought to have an interest in or claim to the Defendant Funds seized by United States Customs agents on or about February 19, 2000, having been given due notice of these proceedings, and none of those persons or entities having interposed a claim and answer or other responses of any kind to

the complaint or interrogatories served therewith, and the default of all other persons having any interest in the Defendant Funds is hereby noted; and it is further

ORDERED, ADJUDGED and DECREED that pursuant to 18 U.S.C. §§ 981 and 984 and 21 U.S.C. § 881, the Defendant Funds, including all accumulated interest and proceeds traceable thereto, are hereby forfeited and condemned to the use and benefit of the United States of America; and it is further

ORDERED, ADJUDGED and DECREED that the United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement be and the same is hereby directed to pay its costs incurred incident to this proceeding from the forfeited funds and to dispose of the remainder in accordance with regulations and law; and it is further

ORDERED, that the Clerk of the Court forward six certified copies of this Decree to the United States Attorney for the Eastern District of New York, Attention: Assistant United States Attorney Richard T. Lunger, Office of the United States Attorney, 610 Federal Plaza, 5<sup>th</sup> Floor, Central Islip, New York 11722.

Dated: Brooklyn, New York  
Dec. 5, 2003

s/

HONORABLE NICHOLAS G. GARAUFIS  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF NEW YORK